

Butte Department.

IN DISTRICT COURT

Seven Informations Filed Against Penitentiary Candidates.

ALL KINDS OF CRIMINALS

They Appear to Plead, and Some Are Granted Time—Civil Suits and Other Cases Heard—The Explosion Again.

Judge Speer held a session of court yesterday morning and heard the arraignments of a lot of penitentiary candidates. County Attorney Wines filed seven informations in criminal cases. James Donnelly, the man who is alleged to have held up and robbed Conductor Hynes' street car at Mendenhall, was among the number. He was charged with robbery. Donnelly said he had no money with which to employ a lawyer, but expected to get some by the 10th, and he was given until next Saturday to get legal advice and plead to the information.

John Hammerlee was informed against on the charge of arson. He is the man who is accused of having set fire to Rand's dairy stables about two years ago by which 83 head of cows and a lot of other property was burned. Hammerlee said he expected his brother to help him out and he was given until next Saturday to plead.

Emil Broderick was charged in an information with attempted robbery. The fellow held up a Chinaman named Chin Hing on May 17, and tried to wrest a bag of money from his hands but was unsuccessful. George B. Dygert appeared as counsel for Broderick and took 24 hours to enter a plea.

William Grier was charged with assault in the second degree. He beat one John Harrington over the head with a beer bottle about four weeks ago and cut him rather severely. Grier is out on bond and an order was made that he appear in court this morning for arraignment.

Samuel McDow, a colored man, was arraigned on the charge of larceny in the first degree, and he will plead this morning. Attorney Connolly was appointed to defend him.

Robert B. Hoffman burglarized the room of Charles Walter in the G & G block on May 18, and was informed against on the charge of burglary in the second degree. Attorney Louis Smith was appointed to defend him and a plea will be entered this morning.

James McCormick, for burglarizing the room of George Lyman at 215 North Idaho street, was also arraigned and was given the statutory time to plead. John Lindsay appeared for the defendant.

Attorney McLernan again asked the court to have the murder case of Edwards, alias Campbell, set for trial, but the county attorney objected to having it set until a regular call of the calendar was made. Judge Speer stated that he would call the case for setting next Saturday.

A number of motions and demurrers were set for hearing next Saturday, among them a motion in the injunction case of Haupt against the city of Butte.

The defendant in the damage suit of E. L. Mayo against Sheriff Reynolds, filed an answer yesterday denying that the plaintiff was the owner of the stock of goods attached and sold under an action of Silver Hughes & Co. against Marshall Williams and C. Q. Johnson. The answer alleges that the property belonged to Williams and Johnson, who were doing business under the firm name of the Goshen creamery and who were indebted to Hughes & Co. for \$422.11. They were also largely indebted to various other persons, and on the date of the attachment they made a pretended sale of the property to Mayo with intent to hinder, delay and defraud their creditors and particularly Hughes & Co. It is alleged that the sale was without consideration and was not accompanied by an immediate delivery or transfer of possession. The defense asks that the sale be declared null and void.

Joseph Charles Bois yesterday brought an action in the district court against Frank Deyott for \$504 for labor performed.

A suit to recover possession of a lot of ground on the Pomona lode claim in Centerville, was commenced yesterday by William McGuigan against John B. Hennessy. The plaintiff alleges that he was ousted by the defendant, who took unlawful possession of the property on the first of June. He asks for \$200 as damages and \$5 a month for the time the defendant retained possession of the property.

Judge McElhattan held a short session of court yesterday morning and disposed of several matters which had been continued from Saturday. The petition of Sophia Goddard for an extension of the receivership in the Kenyon-Connell damage case came up for hearing on a demurrer to the petition. The defendants demurred on the ground that it appeared from the petition that a receiver had never been appointed in the case of Goddard against the Kenyon-Connell company. The court sustained the demurrer and dismissed the petition.

Proofs were heard in the case of T. P. Newton against the Ophir Mining company and judgment was entered for the plaintiff for \$8,117 and costs. A judgment for \$78.20 and a foreclosure of mortgage was also entered for the plaintiff in the case of C. E. Black against Alice Black and others. An attorney's fee of \$100 was also allowed in the latter case.

HE'S HELD.

Haskins Is Charged With Stealing a Team of Horses and Harness.

A. W. St. Clair, otherwise known as L. B. Haskins, who is charged with having stolen a valuable team of horses and double set of harness from Charles Langlois nearly two years ago, had a preliminary examination before Judge Almon last evening and was held to the district court. Langlois testified that on June 20, 1894, Haskins got a team of horses and set of harness from him and that they were never returned. Haskins told him that he wanted to drive out to Brown's gulch to take some grub out to his partner and that he would be back in the evening. Langlois did not have a wagon to go with the team and he told Haskins he could get one from William Jones. Jones testified to having loaned the wagon to Haskins and to

his having told him that he was going to drive out to Black Tail.

Haskins was then put on the stand. He said that his right name was St. Clair, but that he was known in Montana by the name of Haskins. He admitted hiring the team and wagon, but claimed that he had not used them at all, but had sent a man named Scott out to divide with a woman and her children, who were leaving the city, in the outfit. Two days afterwards he said Scott came to him out near Pipestone pass, where he was herding horses, and reported to him that he had turned the horses over to Langlois and the wagon to Jones. Haskins said that he came back to Butte on June 30 and remained here a week, then went to Idaho, then to Chicago and then back to Quigley, Mont., where he was arrested. Jones, one of the Anaconda ore stealers, was brought down from jail and swore that he had seen Scott talking to Haskins at Pipestone pass late in June, 1894. Judge Almon considered the defense very weak and held Haskins to the district court in bonds of \$1,000, which he was unable to furnish.

POWDER MAGAZINES.

They Will Probably Be Put Outside of the Limit, But Not Behind a Hill.

The giant powder companies have given up the idea of removing their magazines to the site back of the poor farm, which was selected by the city and county authorities for the reason, as stated by them, that they cannot secure a clear title to the ground. Since making this discovery they have been considering the advisability of moving their magazines farther out on the flat south of the city and about a mile from their present locations. While not lessening the danger to the city in the event of an explosion, this will put them outside of the three-mile limit, and will comply with all city ordinances and state laws. It is understood that the new location has been practically decided upon and that the companies have secured an option on a piece of ground to which they can secure a clear title.

THE COMMISSIONERS.

They Discuss the Project of Building a New Dungeon Under the Court House.

The county commissioners were in session yesterday and discussed the project of building a new dungeon in the basement of the court house for the confinement of refractory prisoners. The present dungeon is too small and is located directly under the sheriff's apartments, of which fact the prisoners take advantage and make so much noise that the sheriff is glad to make their confinement in the dungeon as short as possible. It is probable that a new one will be built adjoining the assessor's office in the rear.

George Tong appeared before the commissioners yesterday and reported that there was great danger of the new bridge over the Big Hole at Chalk Bluffs being washed away by high water. The matter was referred to the road supervisor.

Klamath Is Fine Shape.

Many are the prognostications made in connection with the coming harness racing season and great are the hopes indulged that it will be the best on record. Personally I cannot see why it should be any better than any of its predecessors, and for the life of me I cannot see where we are to get a world's record breaker, says Annandale in the Horseman. Beuzetta and Onoquo are the most likely candidates in the younger division, and of course the usual number of new fast ones will spring up. It is, however, too much to ask of any comparatively green performer to beat 2:10 very far off during his or her first really hard season. Beuzetta cut three and a half seconds from the 2:10 mark last year and got farther up than most of them do the first season they beat 2:10. Fantasy only cut two and three-quarter seconds from her mark the year she was a 1-year-old, and it may be that she may never trot faster than 2:06, even if high hopes are entertained that she can cut three seconds or thereby from her present record if she stays right. I see she is reported as entirely over the accident she met with at Selma, and as we have but few trotters who have any chance in the world to beat Ali's mark, let us hope she runs up to all right and comes out faster than ever. Bouncer ought to get a mark of 2:08 or thereby. She will, in all likelihood, turn out the queen of the campaigning brigade in the fastest classes, and when she and "Cookie" meet a battle royal may be anticipated. By the way, I learn that owner Tom Raymond has Klamath in rare fettle at Overland park, Denver, and that the little, long-backed gelding is going better than he ever has at this time of year. This may be all wrong, but I know that up until last year Klamath's heels never recovered from the effects of the alkali soil on which he was first trained. His heels always cracked very badly when he got out to work, and last season, in July or August, Raymond found a preparation that healed up the heels and they never offered to open again once they were dried up so long as they were kept dry and properly cleansed from the sweat which at times would run down the leg and lodge in the heel. At Buffalo, I have heard, the prolonged scoring in the race that Beuzetta won caused the heels to crack open on account of the sweat lodging in the cleated crevices, and after that we all know that Cookie was but little good. This season, after having had clean heels all winter, the "gildin'" should do better than ever, and I want to say right here that the horse that beat Klamath when right knows he has been to a race. The little rascal can trot off a quarter any time he feels right in 20 seconds, and the mile in better than 2:10.

Lifts, telephones and electrophones have within the last month or two revolutionized the interior of Windsor castle.

The Fabled Giant, Atlas.

Was said to have supported the world upon his shoulders. If so, he must have been a decidedly muscular individual. We can't all be muscular, but we can enjoy a fair modicum of physical vigor if, when that blessing is denied us by nature, we supplement our deficit by an appeal to the national tonic, Hostetter's Stomach Bitters, which reinstates digestion upon a permanent basis, remedies nervousness, biliousness and constipation, and overcomes rheumatic and kidney troubles. It also counteracts the poison of malaria in air or water, and recruits exhausted energy when impaired by unusual bodily or mental fatigue. The aged, infirm and convalescent have no more potent and thorough helper than this justly popular invigorant, with a successful record of nearly half a century.

REPORT OF REFEREE

In the Case of Gassert and Reding Against J. H. Steele.

THE TABLES ARE TURNED

Instead of the Defendant Being indebted to Plaintiffs, the latter, He Says, Are indebted to Mr. Steele.

Attorney Charles R. Leonard yesterday filed with the clerk of the district court his report as referee in the case of Harry Gassert and Jacob Reding against J. H. Steele, a suit for accounting which has been pending in the courts for several years. The case was referred to Mr. Leonard on the 7th of June, 1895, and a great quantity of testimony was taken. Among the witnesses examined were J. H. Steele, W. S. Tallant, George F. March, Colin Hill, R. S. Kennedy, Henry Olson, George E. Miller and Harry Gassert. The examination covered a period of 10 years during which the plaintiffs and defendants were business partners, and involved a complicated state of affairs. In his report the referee said:

"The referee would respectfully report that the matters in issue in this suit between the respective parties involved the examination of a long account of mutual dealings between the parties from November, 1886. That the parties were the joint owners of property and the greater part of the account is made up of rent received from said property and of expenses and disbursements incurred in behalf of the same. The parties, as was shown by the evidence, had not kept full and complete accounts of their business dealings and it was conceded by the parties at the trial and by their attorneys that it was a very difficult matter indeed to arrive at a correct conclusion as to the matters in litigation between them and it was suggested by counsel for the respective parties that the referee, in order to be enabled to obtain a correct understanding of the matter, should procure the services of an expert accountant to assist him in preparing a statement of the account between the parties, and the undersigned accordingly obtained the assistance of Henry G. Hawes, an expert accountant, and with him made a careful examination of all the evidence together with the statements and other exhibits introduced in evidence, and the conclusion and the finding of facts above given is the result of the work and examination made by the referee and said accountant, and in the opinion of the referee is as correct as can possibly be arrived at under the circumstances."

In his findings of fact the referee reported that instead of the defendant being indebted to the plaintiffs, the latter are indebted to Steele, on account of the matters involved in the suit, in the sum of \$312.13 and that he should have judgment against them for that amount. The referee's report covered 153 pages of typewritten matter.

The property involved in the old Clarendon house on Main street and over which the different parties have had a great deal of litigation, Gassert and Reding had sued for \$4,265, which they claimed as due them on a fourth interest in the rents and profits collected prior to Aug. 1, 1893. The referee found that the total amount of credit in Steele's transactions with the plaintiffs was \$19,716.77 and the debts \$19,404.64.

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Black All-Wool Figured Jacquards and Sicilians; 20 different patterns; the \$1 and \$1.25 quality; for the next 3 days..... 75 cents

Black Fancy Weaves, suitable for separate skirts, 54 inches wide, the \$1.50 quality; for the next 3 days..... \$1.00
Black Grenada and Diagonal Sicilians, 54 inches wide, guaranteed dust-proof; the \$1.75 quality for the next 3 days..... \$1.25
Black Crepons, large and small effects; the \$1.50 and \$1.75 quality; for the next 3 days..... \$1.25
Black Mattressed Crepons, the very choicest goods; \$2 and \$2.50 quality; for the next 3 days..... \$1.50
Black All-Wool, Silk Finished Henriettas, 46 inches wide, the best 85c quality; for the next 3 days..... 50 cents
Black Henriettas, 46 inches wide, extra fine and the best \$1.25 quality; for the next 3 days..... 75 cents
Black Henriettas, 48 inches wide, the best quality in All-Wool; the \$1.50 and \$2 quality; for the next 3 days..... \$1.00
Black French Serges, 54 inches wide; the \$1.50 and \$1.75 quality; for the next 3 days..... \$1.00

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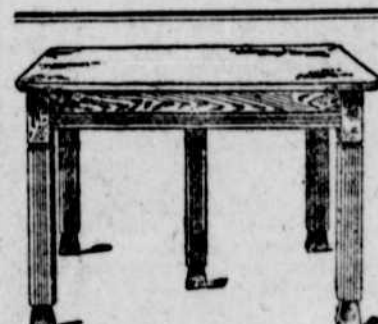
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